

OPTIS.086A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James R. Braig, et al.)
App. No. : 10/824,946)
Filed : April 15, 2004)
For : ANALYTE DETECTION SYSTEM)
Examiner : Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected

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herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

OptiScan Biomedical Corporation

Dated: 10-21-04

By: 
James R. Braig

Title: Chief Technical Officer

Address: 1105 Atlantic Avenue
Suite 101
Alameda, CA 94501

H:\DOCS\MJK\MJK-7600.DOC:ip/080504

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of

Alameda

} SS.

On

Oct. 21, 2004

(DATE)

before me,

Jennifer Villavert Le

(NOTARY)

personally appeared

James R. Brag

SIGNER(S)



personally known to me

- OR -



proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
☒ CORPORATE OFFICER

CTO

TITLE(S)

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Est. Rights... Assignee... Rev. & Power of Atty.
TITLE OR TYPE OF DOCUMENT

2

NUMBER OF PAGES

April 15, 2004
DATE OF DOCUMENT

OPTIS 086A

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

OPTISCAN BIOMEDICAL CORP.

RIGHT THUMBPRINT
OF
SIGNER

Top of thumbprint here

ASSIGNMENT

WHEREAS, We, James R. Braig, a U.S. citizen, residing at 280 Mountain Avenue, Piedmont, CA 94611; Michael A. Munrow, a U.S. citizen, residing at 2718 Belmont Canyon Road, Belmont, CA 94002; Kenneth G. Witte, a U.S. citizen, residing at 1547 Petersen Avenue, San Jose, CA 95129; Mark Wechsler, a U.S. citizen, residing at 181 42nd Avenue, San Mateo, CA 94403; Jennifer H. Gable, a U.S. citizen, residing at 8161 Tanforan Ct., Newark, CA 94560; Peng Zheng, a U.S. citizen, residing at 15 Souza Court, Alameda, CA 94502; Igor K. Nemchuk, a Russian citizen, residing at 56A Dorado Terrace, San Francisco, CA 94112; Kenneth I. Li, a U.S. citizen, residing at 53 Calvert Court, Piedmont, CA 94611; Maria C. Isaac, a Brazilian citizen, residing at 5230 Desmond Street, Oakland, CA 94618; Robert D. Gaffney, a U.S. citizen, residing at 11 Irving Avenue, Atherton, CA 94027; Ronald C. Leguidleguid, a U.S. citizen, residing at 30675 Chimney Lane, Union City, CA 94587; and Fiona M. Sander, a U.S. citizen, residing at 11640 Jessica Lane, Los Altos, CA 94024, have invented certain new and useful improvements in a ANALYTE DETECTION SYSTEM for which we have filed an application for Letters Patent in the United States, Application No. 10/824,946, Filed on April 15, 2004;

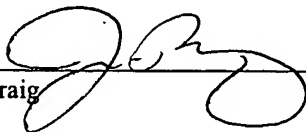
AND WHEREAS, OptiScan Biomedical Corporation (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 1105 Atlantic Avenue, Suite 101, Alameda, CA 94501, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of OCT, 2004.


James R. Braig

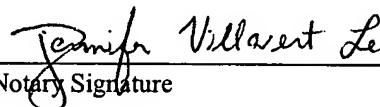
STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared James R. Braig, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in he authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 2004.

Michael A. Munrow
Michael A. Munrow

STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared Michael A. Munrow, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in the authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this Oct day of 21, 2004

Kenneth G. Witte
Kenneth G. Witte

STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004 before me, Jennifer Villavert Le, personally appeared Kenneth G. Witte, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 2004

Mark Wechsler

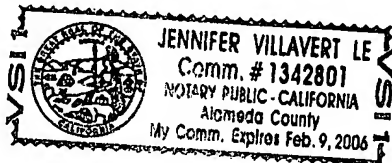
Mark Wechsler

STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared Mark Wechsler, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 2004


Jennifer H. Gable

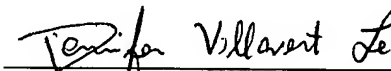
STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared Jennifer H. Gable, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]




Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 2004.

Peng Zheng

STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared Peng Zheng, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of October, 2004

Igor Nemchuk
Igor K Nemchuk

STATE OF California }
COUNTY OF Alameda } ss.

On Oct. 21, 2004, before me, Jennifer Villavert Le, personally appeared Igor K Nemchuk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Jennifer Villavert Le
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21st day of October, 2004

Kenneth I. Li
Kenneth I. Li

STATE OF

}
}
}

ss.

COUNTY OF

On _____, before me, _____, personally appeared Kenneth I. Li, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

Michelle Laubach 10/24/04
subscribing witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21st day of October, 2004

Maria C. Isaac
Maria C. Isaac

STATE OF }
 }
COUNTY OF } ss.

On _____, before me, _____, personally appeared Maria C. Isaac, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

Michelle Faubach 10/21/04
subscribing witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of August, 2004.

Robert D. Gaffney

STATE OF }
 }
COUNTY OF } ss.

On _____, before me, _____, personally appeared Robert D. Gaffney, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

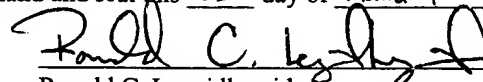
WITNESS my hand and official seal.

[SEAL]

Notary Signature

Michelle Saubach 10/21/04
subscribing witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of August, 2004.



Ronald C. Leguidleguid


STATE OF }
 }
COUNTY OF } ss.

On _____, before me, _____, personally appeared Ronald C. Leguidleguid, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

 10/21/04
subscribing witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20 day of AUGUST, 2004.



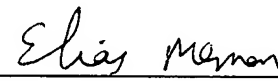
Fiona M. Sander

STATE OF CALIFORNIA }
COUNTY OF SANTA CLARA } ss.

On 8/20/04, before me, ELIAS MEMON, personally appeared Fiona M. Sander, ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

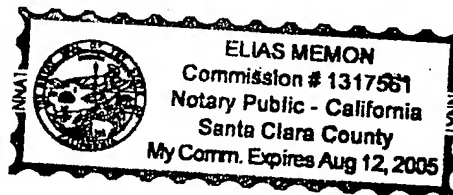
WITNESS my hand and official seal.

[SEAL]



Notary Signature

H:\DOCS\MJK\MJK-7604.DOC:ip/080604



SUBSCRIBING WITNESS JURAT

State of California

County of Alameda

} SS.

On October 21, 2004

DATE

appeared Michelle Laubach

SUBSCRIBING WITNESS'S NAME

me on the oath of

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that ~~he~~ she was present and

saw Kenneth I. Li, Maria C. Isaac, Robert D. Gaffney, & Fiona Sander the
NAME(S) OF PRINCIPAL(S)

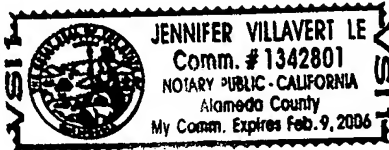
same person(s) described in and whose name(s) is/are subscribed to the within and annexed instrument in ~~his/her~~ their authorized capacity(ies) as ~~la~~ party(ies) thereto, execute the same, and that said affiant subscribed ~~his/her~~ name to the within instrument as a witness at the request of

Kenneth I. Li, Maria C. Isaac, Robert D. Gaffney, and Fiona Sander

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Jennifer Villavert Le
NOTARY'S SIGNATURE



OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☒ SUBSCRIBING WITNESS

☐ OTHER:

ABSENT SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

OPTISCAN

DESCRIPTION OF ATTACHED DOCUMENT

Assignment
TITLE OR TYPE OF DOCUMENT

Pages 9 thru 12 of 13
NUMBER OF PAGES

April 15, 2004
DATE OF DOCUMENT

OPTIS 086A

OTHER

RIGHT THUMBPRINT
OF
SIGNER

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